

Zoning Text Amendment No.: 12-04  
Concerning: Site Plans - Surety  
Draft No. & Date: 1 – 2/2/12  
Introduced: February 14, 2012  
Public Hearing:  
Adopted:  
Effective:  
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

---

By: District Council at the request of the Planning Board

---

**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- allow developers to provide additional forms of surety to insure the completion of site plan elements; and
- clarify the language to state that the surety being required by the Planning Board covers only certain certified site plan elements.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 59-D-3	“Site Plan”
Section 59-D-3.5	“Effect of Site Plan”

**EXPLANATION:** ***Boldface** indicates a Heading or a defined term.*

*Underlining indicates text that is added to existing law by the original text amendment.*

*[Single boldface brackets] indicate that text is deleted from existing law by original text amendment.*

*Double underlining indicates text that is added to the text amendment by amendment.*

*[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.*

*\* \* \* indicates existing law unaffected by the text amendment.*

## *ORDINANCE*

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*

**Sec. 1. Division 59-D-3 is amended as follows:**

**DIVISION 59-D-3. SITE PLAN.**

\* \* \*

**Sec. 59-D-3.5. Effect of site plan.**

\* \* \*

(d) The Planning Board may require the applicant to post a [performance bond] commercially acceptable form of surety approved by the Planning Board securing compliance with and full implementation of [all] specified features of the certified site plan in an amount set by the Planning Board. If [a bond] such surety is required, the Department must not issue a sediment control permit, building permit, or use-and-occupancy permit until [this bond] such surety is [posted] accepted.

**Sec. 2. Effective date.** This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

---

Linda M. Lauer, Clerk of the Council